

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
Kori, et al.

Serial No.: 09/678,266

Confirmation No.: 4642

Filed: October 3, 2000

For: Method and Apparatus for Depositing Refractory Metal Layers Employing Sequential Deposition Techniques to Form a Nucleation Layer

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Group Art Unit: 2891

Examiner: David A. Zarneke

## MAIL STOP PETITION

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

## PETITION FOR CLAIMING BENEFIT OF EARLIER FILING DATE

Applicants respectfully petition the Commissioner under 37 C.F.R. § 1.78(a)(3) for claiming the benefit of the earlier filing date of prior-filed non-provisional application Serial No. 09/605,593, which issued on April 22, 2003 as U.S. Patent No. 6,551,929, in this pending application. In accordance with the requirements set forth in 37 C.F.R. § 1.78(a)(3), Applicants submit the following:

- (i) The reference required by 35 U.S.C. §120 and 37 C.F.R. §1.78(a)(2) is concurrently submitted to the Examiner in an amendment under 37 C.F.R. §1.312, and a copy of the amendment is attached to this petition;
- (ii) Authorization to charge the fee of \$1370.00 as set forth in 37 C.F.R. § 1.17(t) is given in a separate fee transmittal; and

(iii) The entire delay between the date the claim was due under 37 C.F.R. § 1.78(a)(2)(ii) and the date the claim was filed was unintentional.

Respectfully submitted,



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